

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Application for Attorney's Fees Under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. The parties consented to the jurisdiction of undersigned pursuant to 28 U.S.C. § 636(c).

On October 18, 2005, the undersigned remanded Plaintiff's case to the Commissioner for further proceedings. Plaintiff now seeks attorney's fees in the amount of \$2,183.25, which represents 11.4 hours of attorney work at the 2004 rate of \$152.00 per hour, .95 hours of attorney work at the 2005 rate of \$156.00 per hour, and 4.65 hours of legal assistant time at \$65.00 per hour. In EAJA actions, the district court has the authority to award reasonable and necessary expenses associated with adjudicating a claim for social security benefits. Kelly v. Bowen, 862 F.2d 1333 (8th Cir. 1988).

In the instant case, Defendant has filed a response stating that it has no objection to Plaintiff's request for an award of attorney's fees in the amount of \$2,183.25. The undersigned thus finds that Plaintiff is entitled to attorney's fees for the requested amount. An appropriate Judgment will accompany this Memorandum and Order.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for an Award of Attorney's Fees and Other Expenses Under the Provisions of the Equal Access to Justice Act [Doc. #16] is **GRANTED**.

/s/ Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

Dated this 5th day of April, 2006.

